

**HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES
Thursday, July 17, 2008**

Members Present

Tom McGuirk, Chairman
John Gebhart
Vic Lessard
Bryan Provencal
Bill O'Brien

Others Present

Joan Rice, Secretary

Chairman McGuirk called the meeting to order at 7:00 p.m.

Chairman McGuirk introduced the members of the Board.

The Pledge of Allegiance was said.

PETITION SESSION

30-08 The petition of Edward & Susan McGrath for property located at 51 Hobson Avenue seeking relief from Articles 1.3 and 4.5.1 to add a second story addition which will not meet front setback. This property is located at Map 289, Lot 15 in a RB zone.

Edward and Susan McGrath, 51 Hobson Avenue, came forward. Mr. Grath said they are looking to expand their one-story dwelling to two stories which would include additional bedrooms and a bathroom. Mr. McGrath said they are 15 feet short of the required 20 feet in the front of the house. The second story would be placed on the existing foundation. Mr. McGrath added that three neighbors have added second stories over the past several years. Mr. McGrath went over the five criteria and said he felt they had been met.

Questions from the Board

Mr. Lessard asked when the foundation was put in. Ms. McGrath replied it was in 1988. Mr. Lessard said the foundation should be checked. Mr. McGrath said that an engineer has checked it and that it is fine.

Mr. O'Brien mentioned that if a building did not exist on this spot the new State rule would apply and you could not build on this lot. Mr. McGuirk said that was true, but the building is there and you can build if it is on the same footprint.

Comments from the Audience

There were no comments from the audience.

Back to the Board

Mr. O'Brien said he had no problem with the proposal but would like to have the plot plan corrected and updated, for example, delete the parking space on the west side of the house since it does not meet the 9 x 18 feet requirement, show the rear deck and shed on the plan, and correct the rear setback measurement.

Moved by Mr. Lessard, seconded by Mr. O'Brien, to grant Petition 30-08, plot plan to be corrected.

Chairman McGuiek asked the Board if they felt the five criteria had been met. The members replied that they did.

VOTE: 5-0-0. Motion passed unanimously.

31-08 The petition of Al Lindquist & Matthew Croteau for property located at 18 Riverview Terrace seeking relief from Article 6.3.10 to allow condominium conversion of two existing buildings, one of which has a 9'x18' parking space and the other which has a parking space that has a variable width between 8 feet and 8.6 feet and a length of 18 feet. This property is located at Map 292, Lot 30 in a RB zone.

Attorney Peter Saari, Casassa & Ryan, came forward representing the petitioners. He said the problem is to find two parking spaces on this site. The first space is fine. The only location for the second space is to the rear of the building and the dimensions are very tight. Attorney Saari went over the five criteria and said he felt they had been met.

Questions from the Board

Mr. O'Brien said he was concerned because one space did not meet the 9 x 18 feet requirement and he couldn't see how it is possible to turn into the second parking space. A similar petition came before the Board in the past and was denied.

Mr. Gebhart said he had the same concerns. He said he could not see how you could negotiate around the staircase. There is just not enough space.

Comments from the Audience

There were no comments from the audience.

Back to the Board

Moved by Mr. O'Brien to deny Petition 31-08. There was no second at this time.

Mr. Gebhart asked if it would be possible to reconfigure the stairway by having a landing and turning the stairs to the east. Attorney Saari said a little space could be gained in that way. Mr. O'Brien said he still did not think this would solve the problem since the deck in the rear, which appears in the plot plan and photos, has been enclosed and made an integral part of the building.

Moved by Mr. O'Brien, seconded by Mr. Provencal, to postpone the hearing of Petition 31-08 until the August 21st meeting. This petition will be second on the Agenda.

VOTE: 5-0-0. Motion passed unanimously.

32-08 WITHDRAWN

33-08 The petition of Gwendolyn Hurd Revoc Trust through Sheryl Hurd for property located at 11 Old Stage Road seeking relief from Article 3.25D to provide professional dog grooming services out of existing home. This property is located at Map 136, Lot 1 in a RAA zone.

Sheryl Hurd, 11 Old Stage Road, came forward. Ms. Hurd said she was completing professional dog grooming school and would like to start a small home business. The services provided will take place exclusively in the home with no changes in the interior or exterior structures or appearances. She said this business would be complimentary to its abutting property, the Hurd Dairy Farm. There would be no noise and no traffic issues. There will be no boarding of dogs and all sanitation requirements will be met as stated under the animal control ordinance. Ms. Hurd went through the five criteria and said she felt they had been met.

Questions from the Board

Mr. Lessard said this farm has been in the Hurd family for many years and all the neighbors get along very well.

Ms. Hurd said this business would be part-time only and would take care of just a few dogs per day.

Chairman McGuirk asked about hours of operation. Ms. Hurd said dogs would be dropped off between 7:00 and 8:00 a.m. and picked up between 4:00 and 6:00 p.m.

Comments from the Audience

There were no comments from the audience.

Back to the Board

Moved by Mr. Lessard, seconded by Mr. O'Brien, to grant Petition 33-08.

Chairman McGuirk asked the Board if they felt the five criteria had been met. The members agreed that they had.

VOTE: 5-0-0. Motion passed unanimously.

BUSINESS SESSION

Mr. O'Brien commented on Petition 23-08 which has been postponed until the August meeting. Mr. O'Brien said that it had been suggested that the address be changed from James Street to Beach Plum and that it was only necessary to go the Post Office to make the change. Mr. O'Brien said he talked to the building inspector and learned that it is necessary to deal with the Town Planner, the Assessor's Office as well as the Post Office.

Adoption of Minutes – June 19, 2008

Moved by Mr. O'Brien, seconded by Mr. Provencal, to adopt the Minutes of June 19, 2008.

VOTE: 5-0-0. Motion passed unanimously.

The Business Session was adjourned at 7:35 p.m.

Respectfully submitted,

Joan Rice
Secretary